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OFFICE OF PETITIONS

In re Application of
William Bolick
Application No. 10/078,078
Filed: February 15, 2002
Attorney Docket No. PBOLIWC

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed January 8, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned as a result of petitioner's failure to file a complete and proper appeal brief within the time period provided in 37 CFR 41.37(a)(1). As a complete and proper appeal brief was not filed within the one (1) month of the Notification of Non-Compliance with 37 CFR 41.37(c)(1) mailed February 15, 2007, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.197(b). As no claim was allowed, the application became abandoned on March 16, 2007. See MPEP 1215.04. A Notice of Abandonment was mailed on October 9, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an Appeal Brief with fee of \$255.00, (2) the petition fee of \$770.00, and (3) a proper statement of unintentional delay. Accordingly the appeal brief is accepted as being unintentionally delayed.

A withdrawal of power of attorney was filed subsequent to this petition on March 20, 2008 and was granted on April 2, 2008. A courtesy copy of this decision is being mailed to the address noted on the petition. All future correspondence will be mailed to the current address of record.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

This application is being referred to Technology Center AU 2167 for appropriate action in the normal course of business on the Appeal Brief received January 8, 2008.



Carl Friedman
Petitions Examiner
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cc: Thompson E. Fehr
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